

**THE HONORABLE PAUL B. SNYDER**  
**CHAPTER 13**  
**HEARING DATE: September 9, 2009**  
**HEARING TIME: 1:00 p.m.**  
**LOCATION: Tacoma, Washington**  
**RESPONSE DATE: September 2, 2009**

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In Re: ) NO. 07-40277  
JOHN ALEXANDER ) NOTICE AND MOTION FOR  
Debtors. ) DISMISSAL PURSUANT TO 11 U.S.C.,  
SECTION 1307(c)

## **NOTICE**

You and each of you are hereby notified that the undersigned will bring on for hearing before the Bankruptcy Judge of the above entitled Court, 1717 Pacific Ave., Room H, Tacoma, Washington, 98402 on Thursday, September 9, 2009 at 1:00 p.m. an application for dismissal of the above-captioned case. Response required by September 2, 2009.

## MOTION

**COMES NOW** David M. Howe the standing Chapter 13 Trustee and makes this motion as follows:

- 1) The debtor(s) filed a plan on January 31, 2007, and plan was confirmed on May 10, 2007.
  - 2) The debtors were required to make payments under the plan of **\$656.00** per month; that there is now a delinquency of **\$1312.00** which has occurred in the last two [2] months.
  - 3) That the debtors have otherwise defaulted under the terms of the Plan as follows: 1307(c) (1) unreasonable delay by the debtors that is prejudicial to the creditors; **Failure to remit plan payments.**

**WHEREFORE** the Trustee prays that the debtor's case be dismissed and this case be closed.

**DATED** this 23<sup>rd</sup> day of July, 2009.

/s/ David M. Howe  
DAVID M. HOWE, Chapter 13 Trustee

David M. Howe  
Chapter 13 Trustee  
1551 Broadway Ste 600  
Tacoma, WA 98402  
(253) 572-6600

## **CERTIFICATE OF MAILING**

I declare under penalty of perjury under the laws of the State of Washington as follows:

I, Karen Gordon, mailed via regular mail a true and correct copy of the Notice and Motion for Dismissal to the following:

John Alexander  
2318 19<sup>th</sup> St PL SE  
Puyallup WA 98374

Brown & Seelye PLLC  
260 NW Prindle Ave  
Chehalis WA 98532

McCalla Raymer Et Al  
1544 Old Alabama Rd  
Roswell GA 30076-2102

Ecast Settlement  
PO Box 7247-6971  
Philadelphia PA 19170-6971

The following parties received Notice and Application for Dismissal via ECF: Brown & Seelye PLLC, attorney for debtor, John Schlotter, Melissa Williams, and the United States Trustee.

Dated at Tacoma, Washington on the 23<sup>rd</sup> day of July, 2009.

/s/ Karen Gordon  
KAREN GORDON

- -

David M. Howe  
Chapter 13 Trustee  
1551 Broadway Ste 600  
Tacoma, WA 98402  
(253) 572-6600